

REMARKS

Applicants thank the Examiner for the consideration given to this application. Reconsideration is now respectfully requested in view of the following remarks.

Claims 47-49 and 51-92 are pending in this application. Claim 47 is the sole independent claim. Claims 1-46 and 50 were previously cancelled without prejudice or disclaimer. Reconsideration and allowance of the present application are respectfully requested.

Summary of Telephone Conference with Supervisory Primary Examiner (SPE)

Applicants thank SPE Brian Pendleton for his telephone call of November 15, 2010 to the undersigned. During the telephone call, SPE Pendleton indicated that the Final Office Action of October 15, 2010 had been sent out in error and that, with the resubmission of arguments and the submission of a Terminal Disclaimer with respect to U.S. Patent Application No. 10/552,384, all rejections would be withdrawn, and the present application would be passed to allowance.

Terminal Disclaimer

Per the above-mentioned telephone conference with SPE Pendleton, Applicants, while not indicating agreement with the idea that the claims of 10/552,384 (now U.S. Patent No. 7,668,312) are sufficiently similar to the present claims to warrant an obviousness-type double-patenting rejection, are opting to file a Terminal Disclaimer in order to expedite prosecution and allowance of the present application.

Claim Rejections Under 35 U.S.C. §103

Claims 47-49, 51-52, 54, 57-58, 62-64, 70-75, 78 and 91-92 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,415,042 to Shin (hereinafter “Shin”) in view of U.S. Patent Publication No. 2003/0198403 to Ottesen (hereinafter “Ottesen”), further in view of U.S. Patent Publication No. 2004/0234147 to Malvar (hereinafter “Malvar”). This rejection is respectfully traversed for at least the following reasons.

Claim 47, as amended, reads as follows:

A process for secured distribution of at least one digital fixed picture in an

original stream, wherein the picture includes sequences of data that respectively contain a part of information of the picture, the original stream being in a nominal compressed block format based on wavelets, and the original stream including wavelet coefficients, the process comprising:

modifying the original stream by modifying the wavelet coefficients to produce a modified stream having the same nominal block format as the original stream;

generating complementary information including modified information from the original stream, the complementary information also including one or more functions for reconstructing the original stream with the modified information, wherein a respective one of the one or more functions contains at least one instruction relating data associated with the complementary information and/or the modified stream and one or more operators associated with reconstructing the original stream from the modified stream; and

separately transmitting the modified stream and the complementary information to an addressee equipment for reconstruction of the original stream from the modified stream and the complementary information, wherein the reconstruction is adaptive and progressive as a function of information associated with a digital profile of the addressee equipment provided in the complementary information.

The Office Action addresses Claim 47 at pages 5-7. At page 6, the Office Action reads as follows:

[Shin] did not explicitly disclose generating complementary information including modified information from the original stream, the complementary information also including functions for reconstructing the original stream with the modified information; and transmitting the modified stream and the complementary information to an addressee equipment for reconstruction;

the original reconstructed stream from the modified stream and the complementary information, wherein the reconstruction is adaptive and

progressive as a function of information associated with a digital profile of the addressee equipment provided in the complementary information.

Office Action at 6. Applicants agree that Shin fails to disclose (or suggest) at least these features. The Office Action then alleges that “Ottesen [] disclose[s] generating complementary information including modified information from the original stream, the complementary information also including functions for reconstructing the original stream with the modified information; and transmitting the modified stream and the complementary information to an address equipment for reconstruction,” citing Ottesen at Fig. 1 and col. 4, line 65 to col. 5, line 9. Office Action at 6. Applicants respectfully disagree.

First, Claim 47 reads, “separately transmitting the modified stream and the complementary information.” In contrast, the Office Action attempts to explain the correspondence with Ottesen at col. 10, lines 33-40 by stating, “the marker may be sent in base-domain form as separate data. Calculating and inserting the marker may occur when and where the image data is generated or at the time and location that the image is reconstructed...; by generating the marker at the time of the reconstruction of the image means that the modified stream and the complementary information are transmitted separately.” Office Action at 5. There is no recitation here (or that Applicants have found in any cited portion of Ottesen) of “separately transmitting the modified stream and the complementary information.” Even if, *arguendo*, the marker of Ottesen were to be considered as corresponding to “complementary information” (and Applicants are not indicating agreement with this idea), the marker is either sent with the other image data or is generated where reconstruction occurs (i.e., is not sent at all).

Second, the Office Action also states, “Module 120 modifies data from a base-domain source to add one or more markers for later restoration of the original image, module 130 may send only the magnitude component – or a derivative such as magnitude squared – as data 131 representing the original image....Also, fig. 1 shows that the modified stream and the complementary data are outputted from the transform module 130 at ports 131 and 132[,] respectively;...this information further proves that there is [a] function associated with the transformed data.” Office Action at 5. These teachings of Ottesen, however, further distinguish what Ottesen does from what is claimed. Claim 47 includes, “modifying the original stream by modifying the wavelet coefficients to produce a modified stream having the same nominal block

format as the original stream.” However, if the marker information is incorporated into the stream (by adding “one or more markers”), the modified stream is no longer “in the same nominal block format as the original stream,” as claimed; its format has been changed by adding the markers. Hence, Ottesen further teaches away from the claimed method, and combining Ottesen with Shin and Malvar fails to result in the claimed subject matter.

Finally, Claim 47 recites, “generating complementary information including modified information from the original stream, the complementary information also including functions for reconstructing the original stream with the modified information, wherein a respective one of the one or more functions contains at least one instruction relating data associated with the complementary information and/or the modified stream and one or more operators associated with reconstructing the original stream from the modified stream.” Nowhere in Ottesen or in any of the other cited references have Applicants found a disclosure or suggestion of such a “function” in the “complementary information.” The use of some kind of mathematical function to construct a marker, as discussed in the cited portion of Ottesen (in cols. 10-12; see above for specific citations) does not teach that any function, as recited in the claim language, is included in or transmitted (separately from the modified stream) as “complementary information,” even if, as discussed at col. 10, lines 34-36, “Calculating and inserting the marker may occur when and where the image data is generated, or at the time and location that the image is reconstructed.”

For at least these reasons, Applicants respectfully submit that the cited references fail to support the rejection of Claim 47 and its dependent claims listed above (Claims 48, 49, 51-52, 54, 57-58, 62-64, 70-75, 78 and 91-92).

Claims 53, 59-61 and 76-77 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Shin in view of Ottesen, in further view of Malvar, and in further view of U.S. Patent No. 7,321,625 to Zhang et al. (hereinafter “Zhang”). This rejection is respectfully traversed for at least the following reasons.

Claims 53, 59-61, 76, and 77 all depend, either directly or indirectly, from Claim 47. Therefore, the above discussion applies to these claims, as well. Applicants further note that Zhang fails to address the above-mentioned shortcomings of the combination of Shin, Ottesen,

and Malvar. Hence, it is respectfully submitted that the cited references fail to support the rejection of Claims 53, 59-61, 76, and 77.

Claims 79-85 and 87-88 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Shin in view of Ottesen, in further view of Malvar, and in further view of U.S. Patent Publication No. 2002/0118859 to Stone et al. (hereinafter “Stone”). This rejection is respectfully traversed.

Claims 79-85, 87, and 88 all depend, either directly or indirectly, from Claim 47. Therefore, the above discussion applies to these claims, as well. Applicants further note that Stone fails to address the above-mentioned shortcomings of the combination of Shin, Ottesen, and Malvar. Hence, it is respectfully submitted that the cited references fail to support the rejection of Claims 79-85, 87, and 88.

Claims 86, 89 and 90 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Shin in view of Ottesen, in further view of Malvar, further in view of Stone and in further view of U.S. Patent No. 6,735,699 to Sasaki et al. (hereinafter “Sasaki”). This rejection is respectfully traversed.

Claims 86, 89, and 90 all depend, either directly or indirectly, from Claim 47. Therefore, the above discussion applies to these claims, as well. Applicants further note that Sasaki fails to address the above-mentioned shortcomings of the combination of Shin, Ottesen, and Malvar (and Stone). Hence, it is respectfully submitted that the cited references fail to support the rejection of Claims 86, 89, and 90.

Claims 55-56 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Shin in view of Ottesen, in further view of Malvar, and in further view of U.S. Patent Publication No. 2002/0133830 to Kim et al. (hereinafter “Kim”). This rejection is respectfully traversed.

Claims 55 and 56 depend, either directly or indirectly, from Claim 47. Therefore, the above discussion applies to these claims, as well. Applicants further note that Kim fails to address the above-mentioned shortcomings of the combination of Shin, Ottesen, and Malvar.

Hence, it is respectfully submitted that the cited references fail to support the rejection of Claims 55 and 56.

Claims 65-69 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Shin in view of Ottesen, in further view of Malvar, and in further view of U.S. Patent No. 7,421,082 to Kamiya et al. (hereinafter “Kamiya”). This rejection is respectfully traversed.

Claims 65-69 all depend, either directly or indirectly, from Claim 47. Therefore, the above discussion applies to these claims, as well. Applicants further note that Kamiya fails to address the above-mentioned shortcomings of the combination of Shin, Ottesen, and Malvar. Hence, it is respectfully submitted that the cited references fail to support the rejection of Claims 65-59.

Therefore, Applicants respectfully request that the rejections of the claims under 35 U.S.C. §103 be withdrawn.

Disclaimer

Applicants may not have presented all possible arguments or have refuted the characterizations of either the claims or the prior art as found in the Office Action. However, the lack of such arguments or refutations is not intended to act as a waiver of such arguments or as concurrence with such characterizations.

CONCLUSION

In view of the above, consideration and allowance are respectfully solicited.

In the event the Examiner believes an interview might serve in any way to advance the prosecution of this application, the undersigned is available at the telephone number noted below.

The Office is authorized to charge any necessary fees to Deposit Account No. 22-0185.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 22-0185, under Order No. 27592-01110-US1 from which the undersigned is authorized to draw.

Dated: December 9, 2010

Respectfully submitted,

Electronic signature: /Jeffrey W. Gluck/
Jeffrey W. Gluck
Registration No.: 44,457
CONNOLLY BOVE LODGE & HUTZ LLP
1875 Eye Street, NW
Suite 1100
Washington, DC 20006
(202) 331-7111
(202) 572-0322 (Direct Dial)
(202) 293-6229 (Fax)
Attorney for Applicant